UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/750,275	12/30/2003	Robert A. Luciano	83336.0989	9180

66880 7590 03/07/2007 STEPTOE & JOHNSON, LLP 1330 CONNECTICUT AVENUE, NW WASHINGTON, DC 20036	**EXAMINER** HSU, RYAN

ART UNIT	PAPER NUMBER
3714	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/07/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

PTOL-90A (Rev. 10/06)

	Application No.	Applicant(s)
Office Action Summary	10/750,275	LUCIANO ET AL.
	Examiner	Art Unit	
	Ryan Hsu	3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 December 2006*.

2a)☒ This action is **FINAL**.　　2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-14,17-20,25-31,33-35,37,39-41 and 44-46* is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3-14,17-20,25-31,33-35,37,39-41 and 44-46* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All　b)☐ Some * c)☐ None of:

　　　　1.☐ Certified copies of the priority documents have been received.

　　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
　　Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

In response to the amendments filed on 12/6/2006, claims 1, 20, 33, and 41 have been

amended. Claims 1, 3-14, 17-20, 25-31, 33-35, 37, 39-41, and 44-46 are pending in the current

application.

Terminal Disclaimer

The terminal disclaimer filed on 12/29/2006 disclaiming the terminal portion of any

patent granted on this application which would extend beyond the expiration date of the previous

issued US patent 6,685,559 has been reviewed and is accepted. The terminal disclaimer has been

recorded.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

Claims 1, 3-14, 17-20, 25-31, 33-35, 37, 39-41, and 44-46 are rejected under 35

U.S.C. 103(a) as being unpatentable over Wilms (US 5,277,424) and Congello, Jr. (US

6,296,569 B1) and Rowe et al. (US 6,682,421 B1) and in further view of Walker et al. (US

6,012,983).

Regarding claims 1, 20, 33, and 41, Wilms teaches a gaming device and method of

operation that allows a player to add a value to a gaming device and allows the player to select a

credit value for a wager (*see Fig. 1, element [10(a-e)] and the related description thereof*). The

device is able to process the insertion of multiple denominations of bills and coins (*see col. 2: ln*

25-35). Wilms teaches a gaming system that converts the entered currency into a credit

equivalent value. This is then displayed on the game machine representative of a full and partial

credit value added by the player. This is provided by dividing the value added by the player by

the credit value selected by the player to derive a whole value number and setting the whole

value result in the CREDITS [16] indicator *(see col. 3: ln 1-17, col. 4: ln 22-33)*. Wilms also

teaches the ability of tracking the fractional units in its RESERVE indicator [18]. Additionally,

Wilms teaches a controller that is in communication with the value acceptor so that the machine

may be notified whether enough credits exists for a player to operate the machine *(see col. 7: ln*

59-col. 8: ln 2). Furthermore, Wilms allows the player to select the denomination to be

represented for a wager. Wilms teaches that a game of wagering *(ie: five-card draw poker)* as a

possible embodiment where the player may make a wager and play the gaming device *(see col.*

2: ln 42-54). However, Wilms lacks in teaching the ability to wager both partial credits and full

credits and allowing a player to add a value to a gaming device via a voucher.

In an analogous gaming reference, Congello, Jr. teaches the implementation of a user to

purchase fractional denomination game tickets. Congello teaches the ability to allow a user to

place any denomination bets, which will result in a fractional payoff in comparison of a typical

full credit bet system. Congello teaches that one would be motivated to implement this type of

system in order to allow customers to convert change or loose coins into game tickets. This

would allow users that do not have a desire to play a large denomination to participate in a

lottery type game therefore increasing the amount of money that is played on the game machine

(see col. 1: ln 60-col. 2: ln 7). Therefore it would have been obvious to one of ordinary skill in

the art at the time the invention was made to incorporate the fractional denomination betting

taught in Congello, Jr. with Wilms to create a gaming machine that allowed fractional betting.

However, the combination of Wilms and Congello is still silent with regards to "allowing a

player to add value to a gaming device via a voucher".

In an analogous game system, Rowe teaches the ability for a player to add a value to a

gaming device via a ticket or voucher (*see ticket reader and card reader [345, 340] of Fig. 3 and

the related description thereof*). It has become a common occurrence in the video game arts for

vouchers and tickets to be used in the place of cash in order to provide a more accurate tracking

method for the casinos and security for the players. One would be motivated to provide the

service of using a voucher as opposed to only cash means in order to provide the benefits of

security to the users. Therefore it would have been obvious to one of ordinary skill in the art at

the time the invention was made to incorporate Rowe et al. with Wilms and Congello to use

vouchers or tickets to add a value to a gaming device. However, Wilms, Congello, and Rowe are

silent with regards to storing information relating to the full credits, partial credits, redemption

values, and selected credit values to a database.

In a related gaming system, Walker et al. teaches a plurality of gaming machines that are

linked in a network format. The gaming machines of walker are connected with a server and

database that monitors and tracks information collected at the respective slot machines in order

to allow the moderators of the system to track the activities of the different gaming machines.

The properties that are tracked by Walker's system range from the players credit amount on the

machine to the player's personal information (*ie: social security number, player id, address,

phone number*) (*see Figs. 4-5 and the related description thereof*). One would be motivated to

store the information collected by the gaming machines in order to quickly monitor gaming

information and records easily in a gaming environment. Therefore it would have been obvious

to one of ordinary skill in the art at the time the invention was made to modify the system taught

by Wilms, Congello and Rowe to also store credit information on a database with that of full and

partial credit voucher gaming system at the time of the invention was made.

Regarding claims 4-6, Wilms teaches a method of wagering wherein a player may select

the credit value. Wilms states that if the player's account has less than the credit value the player

is prompted to either change the credit value to a lower denomination or to add money to the

users account (*see col. 7: ln 59-col. 8: ln 15*).

Regarding claim 7-9, 27-29, 40 and 45-46, Wilms teaches a gaming machine wherein the

partial credit value is stored to be displayed by the RESERVE indicator [18]. Wilms also states

that the full and partial credits are displayed to the player through CREDIT [16] and RESERVE

[18] indicators. The player may wager these credits at any time (*ie: through the variability of

modifying the wagered value*) (*see col. 6: ln 40-67, col. 7: ln 10-56*).

Regarding claims 10-11, Wilms teaches the partial credits as decimals which are

inherently fractions as decimals are a linear array of digits that represent a real number. For

example, decimals typically indicate a negative power of 10 (*ie: $10^{-1} = 0.1 = 1/10$*) (*see Figs. 3-5

and the related description thereof*).

Regarding claims 12-13, and 30, Wilms' gaming device allows for the user to change the

first selected credit value to a second credit value between rounds of play in the game of change.

The gaming device constantly readjusts the CREDIT and RESERVE indicators to correspond

with the new value per credit (*see col. 6: ln 25-39*).

Regarding claims 17-19, 25, and 44, Wilms comprises setting an increment rate by which

the player can increase and decrease the credit value. Additionally, the value added by a player

is in a first currency and the full and partial credits may be represented in a second currency (*see*

col. 7: ln 30-57). Furthermore, Wilms allows a value to be added by the player in a first

currency and then is divided into a full and partial credit value as a representative version of the

second currency value (*see col. 7: ln 30-57*). Furthermore, Wilms allows a value to be added by

the player in a currency and the partial credits have a value other than a standard denomination in

which the currency is issued or an integral multiple thereof.

Regarding claim 26, Wilms teaches a default credit value that is assigned if the player

does not define a new credit value (*see col. 5: ln 28-46*).

With regards to claim 3 and 31, Wilms teaches a game machine that allows for a one to

one exchange in currency to take place in a gaming machine having variable denominations to

wager and calculates the monetary value into a CREDITS (*ie: full credits*) and RESERVES (*ie:*

partial credits) value. As disclosed in Wilms these partial credits may also yield winnings and

may be wagered (*ie: when the denomination is lowered below the credit value*) (*see col. 6: ln 3-*

39). However, although Wilms allows the ability to change the denomination and allows the

RESERVE credit to be wagered it lacks in teaching the ability for one to vary the RESERVE

amount wagered beyond the pre-existing limitations created by the programmer of the gaming

device.

However, in an analogous gaming patent, Congello teaches the ability to offer a

fractional denomination game wager. Congello teaches that one would be motivated to allow the

use of partial credits in order to allow for the user to fully utilize their resources when using a

wagering system (*see col. 5: ln 5-17*). Therefore it would be obvious to one of ordinary skill in

the art at the time of the invention to include the teachings of Congello with Wilms to

incorporate partial credit wagering.

With reference to claims 14, and 34-35, Wilms teaches a gaming machine where the full

credits and partial credits are modified depending on the value of the credit as selected by the

user. As a result the player may wager the full credits and partial credits at any time depending

on the selection of the user (*see col. 5: ln 28-53*). One would be motivated to offer selections in

the wagering denominations to allow for all currency to be adapted in order to allow for the user

the ability if they wish to wager their full amount associated with the player account. As

disclosed in Wilms the denominations can easily be programmed to fit the appropriate needs of

the system to increase or decrease by predetermined amounts. Additionally, Wilms indicates

that the predetermined amounts to increase and decrease could be programmed into the system to

adjust by a predetermined factor. Wilms offers the adaptability of this feature in order to offer

different ranges for example from 5 cents to $1.00 which if multiplied by a factor of 100 could

adapt it to $5.00 to $100.00. If one were limited to only 20 cents to wager the system disclosed

in Wilms could be multiplied by a factor of 4 to provide a range of $0.20 to $4.00 (*see col. 6: ln

40-col. 7: ln 15*). Therefore it would have been obvious to one of ordinary skill in the art at the

time of the invention to allow the system to be programmed so that all of the partial credits and

for non-standard denominations to be wagered (*see col. 7: ln 30-50*).

Claims 37 and 39, Wilms teaches a game machine that comprises a casino marker

acceptor and dispenser, which is analogous in the gaming art to a voucher. Therefore it would be

a simple matter of design choice for one of routine skill to modify Wilms to allow the use of

voucher certificates as opposed to casino markers. Therefore it would have been obvious to one

of ordinary skill in the art at the time of the invention to modify Wilms in order to allow for a

user to implement a voucher accepter and printer instead of the casino markers used (*see col. 5:*

ln 4-27).

Claims 15-16, 23-24, 36, and 43 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Wilms and Congello, Jr. and Rowe et al. and Walker et al. as applied to

claims above, and further in view of Skratulia (US 5,690,335).

With reference to claims 15-16, 23-24, 36 and 43, Wilms and Congello and Rowe et al.

and Walker et al. teach a game machine that accepts vouchers and allows the use of full and

partial credits in a wagering game and can store the credit information on a database as discussed

above and incorporated herein. However, Wilms, Congello, Rowe and Walker lack in

specifically disclosing a maximum and minimum credit value for wagering within its game

machine. However, it is understood in the gaming arts that casinos will typically setup minimum

and maximum wagers in order to cater to the target clientele. In Skratulia, he teaches the use of

an analogous method of playing a wagering game (*see col. 3: ln 20-40*). Skratulia discloses that

it would be an obvious matter of design choice for the establishment to set the maximum amount

and that gaming machines are typically adaptable and may be modified to fit the maximum and

minimum bets that the casino would like to implement in their machines. Therefore it would

have been obvious to one of ordinary skill in the art at the time of the invention to combine the

teachings of Skratulia with Wilms in order to allow the gaming machine in Wilms to include a

minimum and maximum wager amount.

Claim 37, Wilms discloses a controller that is configured to allow the game operator to

set an increment value by which the credit value can be raised or lowered (*see col. 7: ln 30-50*).

Response to Arguments

Applicant's arguments with respect to claims have been considered but are moot in view

of the new ground(s) of rejection.

Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Ryan Hsu whose telephone number is (571)272-7148. The

examiner can normally be reached on 9 :00-17:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Robert P. Olszewski can be reached on (571)272-6788. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RH

SCOTT JONES
PRIMARY EXAMINER

2/21/07